

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

MARK D. RICE,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. CIV-06-1292-F
	)	
U.S. DEPARTMENT OF JUSTICE,	)	
<i>et al.</i>	)	
	)	
Defendants.	)	

**ORDER**

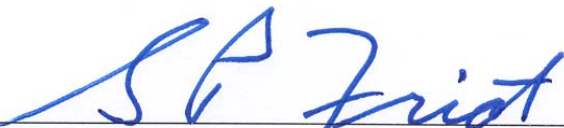
Plaintiff brings this action under 5 U.S.C. § 552(a)(4)(B) seeking production of and access to certain agency records. The action was referred to Magistrate Judge Robert E. Bacharach under 28 U.S.C. § 636. Pursuant to that referral, Magistrate Judge Bacharach entered a Report and Recommendation on January 12, 2007, which is now before the court. (Doc. no. 9.) In it, the Magistrate Judge recommends that plaintiff's motion for *in forma pauperis* status be denied. (Motion at doc. no. 6; Report and Recommendation at doc. no. 9.) The Report further recommends that the court deny leave to proceed without prepayment of the filing fee, and that the court allow this action to proceed only upon payment of the \$350.00 filing fee within twenty days of the court's order adopting the Report and Recommendation. The Report recommends that, if Mr. Rice fails to pay the filing fee within the twenty-day period, the action then be dismissed without prejudice.

Mr. Rice has objected to the Report and Recommendation. As required by 28 U.S.C. § 636(b)(1), the court has reviewed all objected to matters *de novo*.

Having concluded that review of the plaintiff's objections, the record, and the relevant authorities, the court finds and concludes that no purpose would be served by any further analysis here.

Accordingly, the Report and Recommendation of Magistrate Judge Bacharach is **ACCEPTED, ADOPTED**, and **AFFIRMED** in its entirety. Consistent with the recommendations contained in the Report, plaintiff's request for *in forma pauperis* status (doc. no. 6) is **DENIED**. This action may only proceed upon payment of the \$350.00 filing fee within twenty days of the date of this order. If plaintiff fails to pay the filing fee within the twenty-day period, or to seek a timely extension within which to make the payment, or to show cause in writing by the date specified for payment, then this action will be dismissed without prejudice. LCvR3.3(e).

Dated this 24<sup>th</sup> day of January, 2007.

  
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STEPHEN P. FRIOT  
UNITED STATES DISTRICT JUDGE

06-1292p001(pub).wpd